

*Maryland-National Capital Park Police  
Prince George's County Division*

**DIVISION DIRECTIVE**

TITLE		PROCEDURE NUMBER	
<b>EMERGENCY ADMISSIONS OF MENTALLY DISORDERED INDIVIDUALS</b>		<b>PG414.0</b>	
SECTION	DISTRIBUTION	EFFECTIVE DATE	REVIEW DATE
<b>Operational Procedures</b>	<b>A</b>	<b>02/01/05</b>	<b>02/01/07</b>
REPLACES			
<b>PG414.0 "Emergency Admissions Of Mentally Disordered Individuals", issued 05/01/02</b>			
RELATED DIRECTIVES	REFERENCES	AUTHORITY	
	<b>CALEA 71, 82</b>	<b>Commander Larry M. Brownlee, Sr.- Division Chief</b>	

**I. PURPOSE**

The purpose of this directive is to ensure that officers of this Division are aware of the requirements mandated by the Emergency Evaluations Law of the Maryland Code, Health-General Article 10- 620 – 629, and to establish procedures for officers seeking an involuntary evaluation.

**II. POLICY**

All police officers are authorized to detain and seek emergency evaluation of individuals who, upon probable cause, are believed to have a mental disorder, "and that there is clear and imminent danger of the individual's doing bodily harm to the individual or another."

Under Maryland Law, duly licensed physicians, certified psychologists and local health officers can seek emergency evaluation of individuals whom they feel meet the established criteria.

The Division's policy is that, whenever possible, officers will first attempt to encourage the individual's family or relative to seek an emergency evaluation petition. Officers of this Division should be the petitioner of last resort.

**III. LEGAL REQUIREMENTS**

A. Officer Initiated:

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1. Under the Health-General Article of the MarylandCode (10-620 - 629), a police officer may seek emergency evaluations of an individual whom they believe, as a result of their observations, experience, training and best judgment, is suffering from a mental disorder **and** is in clear and imminent danger of causing personal harm to himself/herself or others. The term “Mental Disorder” does not include mental retardation as defined in the MarylandCode, Health-General Article 10-620,.
2. If an officer observes such behavior, the individual will:
  - a. Be taken into custody.
  - b. Appropriately restrained for the safety of the officer, the individual and bystanders.
  - c. Searched prior to being transported.
  - d. Transported to the nearest hospital.  
**(In cases where the individual needs medical attention, Fire and Rescue will be summoned to the scene, where they will determine whether to transport the individual. An officer will travel in the ambulance at their request.)**

- B. The mentally disordered individual will be transported to the closest emergency facility from where he/she was detained. The individual will be transported by emergency vehicle with the assistance of an officer, when necessary.
- C. The individual should be examined by a physician within six (6) hours of his/her detention.
- D. If an evaluated individual is admitted, further action regarding the evaluated individual will be the responsibility of the County Health Department and the emergency facility involved.

**IV. EMERGENCY ADMISSIONS PROCEDURES**

- A. Once at the hospital, officers will complete page one of the “Petition For Emergency Evaluation”, ensure that the officer’s name, rank, and ID number are on the document, and present it to the physician in charge of the emergency room at the hospital. The “Petition For Emergency Evaluation” will be provided to the officer by the Emergency Room Staff.
- B. Officers are not civilly or criminally liable for completing a Petition For Emergency Evaluation for taking a person into custody when done in good faith.

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- C. The emergency facility must accept the individual for evaluation upon a properly executed petition.
- D. The officer will give the Emergency Room Staff all pertinent information about the evaluated individual, including the identity of the evaluated individual's relatives, if known.
- E. Hospital Security Staff will also be notified of the evaluated individual and his/her behavior.
- F. Once the physician authorizes the officer to leave, he/she may leave the hospital and return to normal duty, unless the evaluated individual is violent and the physician requests the officer to remain at the hospital.
- G. If a physician requests the officer to remain, Maryland Law requires the officer to notify their supervisor of the request and the officer must remain until the supervisor responds to the physician's request. **By law, if the evaluated individual is violent, the supervisor will direct the officer to stay at the hospital.** When officers are requested to remain at the hospital, it is the responsibility of the attending physician to examine the evaluated individual as soon as possible.
- H. An evaluated individual must be examined within six (6) hours of his/her arrival at the hospital and may not be detained for longer than thirty (30) hours from the time he/she arrives at the facility.
- I. If the examining physician does not certify the evaluated individual for admission to a State Hospital, the evaluated individual will be released immediately.
- J. If an officer was the petitioner, the Division will provide transportation for the released evaluated individual from the emergency facility back to the location where he/she was taken into custody, if there is no alternative transportation available.
- K. If the petitioner was someone other than a police officer, transportation will not be provided, unless a shift supervisor believes that extenuating circumstances dictate otherwise.
- L. If the examining physician certifies the evaluated individual, the physician will place the evaluated individual in an appropriate facility and will contact a private ambulance service that is under contract with Prince George's County to transport the evaluated individual.
- M. In all circumstances, whether or not the evaluated individual is certified, the officer will complete an Incident Report (Emergency Commitment)

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and attach copies of the completed “Petition For Emergency Evaluation” form.

**V. EVALUATION PROCEDURES FOR ARRESTED PERSONS**

- A. At any time after the arrest of an individual, the Court may order an emergency evaluation if it appears that probable cause exists to believe that the individual has a mental disorder and that there is clear and imminent danger of the individual doing bodily harm to himself/herself or another.
- B. The Prince George’s County Sheriff’s Department is responsible for transporting the evaluated individual. When the Sheriff’s Department is unavailable, an officer of this Division will transport the evaluated individual to the closest emergency facility. Unless the Court directs otherwise, the evaluated individual will remain in police custody until placed in an appropriate facility, returned to the Court or returned to the detention center.
- C. If the examining physician concludes that the evaluated individual does not meet the criteria for involuntary admission, the examining physician will attach a brief report of the evaluation to the court order. Officers will then return the individual, a copy of the court order and the physician’s report to the court. If the court is not in session the individual will be returned to the detention facility as ordered by the court prior to the evaluation.
- D. An order of the court will serve as a detainer until such time as the charges pending against the individual are dismissed, nolle prossed, steted, or the individual is presented to the court.

**VI. TRANSPORTING AGGRESSIVE MENTAL PATIENTS**

The transporting of mental patients requires officers to exercise caution to avoid possible injury to the officer or the patient. In addition to always handcuffing the patient, the officer may consider the use of leg shackles prior to transport. If officers deem the patient too aggressive to transport in a cruiser, then Fire and Rescue will be summoned to the scene. An officer may accompany the transporting ambulance, if necessary, or if requested to do so, to assist in restraining the patient.

- A. Notify Prince George’s County Fire and Rescue of the need for transport and include pertinent information as to the condition of the patient.
- B. An officer may accompany the transporting ambulance, if necessary or requested to do so, to assist in restraining the patient.

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**VII. RESPONSIBILITY**

A. All Officers:

1. Will, prior to taking custody of a mentally disordered individual, attempt to convince the individual's family or another relative to seek an emergency evaluation petition.
2. Will, whenever possible, obtain an order from a Judge of either the District or Circuit Court for an emergency evaluation prior to taking custody of a mentally disordered individual.
3. Will, after taking an individual into custody for emergency evaluation, restrain the individual so as to protect the individual and the officer from injury.

B. Supervisors:

1. Will respond to the scene of all reports of mentally disordered individuals and ensure compliance with the guidelines and procedures set forth in this directive.
2. Will fully cooperate with examining physicians and hospital staff to ensure their safety and the safety of individuals in custody for emergency evaluations.

C. Operation Duty Officers/Supervisors:

1. Will complete a Commanders Log report for submission to the chain of command documenting actions taken in cases involving mentally disordered individuals.
2. Will respond and evaluate any instance where an individual being transported for emergency evaluation is injured.

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